

FILED
CHARLOTTE, NC

SEP 12 2008

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE: REAL PROPERTY LOCATED AT)
LOTS 215 and 407, SUMMERHOUSE ON)
EVERETT BAY, ONSLOW COUNTY,)
NORTH CAROLINA, AS MORE)
PARTICULARLY DESCRIBED IN DEEDS)
RECORDED AT BOOK 2767, PAGES 315-)
316 AND AT BOOK 2937, PAGES 482-484,)
IN THE ONSLOW COUNTY PUBLIC)
REGISTRY)

3:08mc141

ORDER
AND LIS PENDENS

FILE IN GRANTOR INDEX UNDER:

Jerry Holmes

WHEREAS, the United States of America, by and through Special Agent Rajender J. West of Internal Revenue Service, Criminal Investigations Division, has presented an affidavit to the Court alleging that the above-captioned property is substitute property as set forth in 21 U.S.C. § 853(p) and 28 U.S.C. § 2461; and,

WHEREAS, the Court, having reviewed the affidavit, finds that there is probable cause to believe that offenses in violation of 18 U.S.C. §§ 1341, 1343, 1956, and/or 1957 have been conducted, and that the above captioned property is substitute property; and,

WHEREAS, upon this finding of probable cause, the property may be subject forfeiture to the United States pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461, and the government is entitled to record a lis pendens to give public notice of the government's forfeiture interest and potential criminal forfeiture claim against the property;

THEREFORE, the United States is directed forthwith to file this Order and Lis Pendens with the appropriate state or local public depository to prevent the flight or transfer of the property so that the United States may initiate action to adjudicate forfeiture of the property; and,

ALL WHO READ THIS ORDER AND LIS PENDENS TAKE NOTICE that the property may be subject to forfeiture to the United States in a present or future criminal or civil in rem action before this Court, and any person who has a question as to this action should contact:

United States Attorney
for the Western District of North Carolina
Attn: Benjamin Bain-Creed
227 West Trade Street, Suite 1650
Charlotte, NC 28202
(704) 344-6222

This the 11th day of September, 2008.

Carl Horn, III
Honorable Carl Horn III
UNITED STATES MAGISTRATE JUDGE

TO THE RECORDER OF THIS INSTRUMENT: MAIL ANY AND ALL RECORDED COPIES TO THE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NORTH CAROLINA AT THE ABOVE ADDRESS.